Secrt. IX-27—39,000—24-10-61.

P.W

(1945) Department

Ms. SERIES.

G.O. No. 2821

Dated 5-11-1945

closed

P.S.
1.65.
8.11.65

[Despatch Abstract.]

Prefix _____ Code _____ **INDIAN POSTS AND TELEGRAPHS DEPARTMENT.** No.

Recd. at _____ H. _____ M From _____ By _____	Sen. _____ H. _____ M To _____ By _____	Office-stamp. MADRAS JUN
Office of Origin.	Date.	Service Instructions. Words

TO X PK MANGALORE KNA 2:58 THE THIRD ADVISOR TO

H E THE GOVERNOR OF MADRAS FORT ST GEORGE

MADRAS

MANGALORE SUBDIVISIONAL MAJISTRATE PASSED

INJUNCTION ORDER STOPPING WORKING CASHEWNUT

FACTORY RESULTING IN STOPPING PRODUCTION OF CASHEW

N. B.—The name of the sender, if abbreviated, should be written after, but separated from the text.

IL ESSENTIAL WAR MATERIAL & OVER THIRTEEN HUNDRED

Prefix _____ Code _____ **INDIAN POSTS AND TELEGRAPHS DEPARTMENT.**

Office-Stamp 2 JUN

Recd. at _____ H. _____ M. | Sen. _____
From _____ | To _____
By _____ | By _____

Office of Origin	Service Instructions.	Words.

TO

PEOPLE OUT OF EMPLOYMENT URGENT REVOCATION

ORDERS SOLICITED GREAT DISTRESS AMONGST WORKERS

PREVAILS : NIZAR KRISHNA ANNAPPA PAI COMPANY

N. B.—The name of the Sender, if telegraphed, should be written after, but separated from the text.

Eden Press, Calcutta—No. 17 (5164 B (5) -10 4 44—1,00,000 Bks.

B Pref _____ Code _____ INDIAN POSTS AND TELEGRAPHS DEPARTMENT. No.

Recd. at _____ H _____ M | Sen. _____ M. | Off. Stamp.

From _____ | To _____

By _____ | By _____

2 JUN 45

Office of Origin. | Service Instructions. | Words.

X PK MANGALORE KNA 2:56 THE FOURTH ADVISER TO

H E THE GOVERNOR FORT ST GEORGE MADRAS :

MANGALORE SUBDIVISIONAL MAJISTRATE PASSED INJUNCTION

ORDER STOPPING WORKING CASHEWNUT FACTORY RESULTING

IN STOPPING PRODUCTION OF CASHEW OIL ESSENTIAL WAR

MATERIAL & OVER THIRTEEN HUNDRED PEOPLE OUT OF

EMPLOYMENT URGENT REVOCATION ORDERS SOLICITED GREAT

B Class] 1312

Prefix _____ Code ___ INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Recd. at _____ H. _____ M.	Sent _____ M.	Office stamp.
From _____	To _____	
By _____	By _____	

Origin.	Service Instructions.	Words

TO

DISTRESS AMONGST WORKERS PREVAILS : NIZAR

KRISHNA ANNAPPA PAI COMPANY

N.B.—[illegible] the sender, if telegraphed, should be written after, but separated from the text.

Eden Press, [illegible]—No. 12 (5164/B-15)—10-4-[illegible]—[illegible]

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Recd at H. S.
From
By

To
By

Office of Origin.

Date.

Service Instructions.

Words

X CC MANGALORE C 4. 61 THE THIRD ADVISER TO

H E THE GOVERNOR MADRAS FORT ST GEORGE

OUR FACTORY EMPLOYING TWOFIFTY LABOUR ENTIRELY DEPENDS ON MIZAR KRISHNA ANNAPPAI COMPANY FACTOR PROCESSING RAW CASHEWNUTS STOP CONSEQUENT SUBDIVISIONAL MAGISTRATES ORDER STOPPING BURNING OPERATIONS IN MIZARS FACTORY OUR ENTIRE WORK AT

Class
Prefix

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

No.

Rec'd at H. M. Sent at H. M.
From
To
By
By

Office-stamp

Office of Origin.	Date.	Revise Instructions.	Words

T STANDSTILL AFFECTING OUR WHOLE LABOUR PRAY

IMMEDIATE INTERFERENCE HEAVY AMERICAN CONTRACTS

PENDING FULFILMENT

= HINDOSTHAN COMMODITY CORPORATION =

N. B.—The name of the Sender, if telegraphed, should be written after, but separated from the text.

Form Telegram No. 14 Z146/P [illegible] 100,000 [illegible]

B Class
Prefix Code

INDIAN POST & TELEGRAPHS DEPARTMENT

Recd. at
From
By

X PD MANGALORE KNA 4 51 THE THIRD ADVISER TO

TO H E THE GOVERNOR FORT ST GEORGE MADRAS

OUR FACTORY MANUFACTURING CASHEW KERNALS EMPLOYING

THREEHUNDRED LABOUR ENTIRELY DEPENDS ON MIZAR KRISHNA

ANNAPAI COMPANY FACTORY WORKING STOP SINCE SUBDIVISIONAL

MAGISTRATES INJUNCTION ON MIZARS OUR FACTORY AT

STANDSTILL WHOLE LABOUR INVOLVED PRAY IMMEDIATE RELIEF

KASTURI SARVOTHAMPAI COMPANY =

SECRETARY PUBLIC WORKS DEPARTMENT
5 JUN 1945
6338

Telegrams & Cables: "MIZAR"
CODES:
BENTLEY'S 1ST EDITION
ACME & PRIVATE.

MIZAR KRISHNA ANNAPPA PAI & CO.,
MANUFACTURERS & EXPORTERS,
MANGALORE, S. INDIA.

PHONE: OFFICE: 52. FACTORY: 63. AFTER HOURS: 63 A.

June 2, 1945.

The III Adviser to
H.E. the Governor of Madras,
Fort St. George, MADRAS.

Sir,

We hereby confirm the following express telegram which we have to day.

"MANGALORE SUBDIVISIONAL MAGISTRATE PASSED INJUNCTION ORDER STOPPING WORKING CASHEWNUT FACTORY RESULTING IN STOPPING PRODUCTION OF CASHEW OIL ESSENTIAL WAR MATERIAL AND OVER THIRTEEN HUNDRED PEOPLE OUT OF EMPLOYMENT URGENT REVOCATION ORDERS SOLICITED GREAT AMONGST DISTRESS WORKERS PREVAILS"

Our factory has been working since 1930 and in 1937 improved machinery for which patents have been obtained were installed. The place where the factory is situated is predominently an industrial area and the injunction order has resulted in great hardship as the production of cashew nut oil which is an essential war material is completely stopped. We therefore solicit intervention in the matter.

Yours faithfully,
Mizar Krishna A
Partner

P.W. Dept.

Endt. No. 6337-A/45-1 dated 5-6-45

Referred to the Collector of South Kanara for immediate remarks.

P.S. 5-6-45 5.6.45

Pwk 1 5-6

To the Collector of South Kanara.
Copy to the C.L.
" Board of Revenue

with enclosure copy of Govt. Ltr. No. 11-1 C.L.

Despd 5.6.45

Note.

It is not clear from the telegrams as to which dept. is responsible for the injunction order. They should be dealt with. Development have been consulted informally. The remarks of the Collector may be obtained in the 1st instance.

P.S. 5-6-45 5.6.45

777

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

6879

Prefix ... Rec'd at ... H. ... M. Sent ... H. ... M. Office-stamp.

From ... To ...

By ... By ...

Office of Origin.	Date.	Service Instructions.	Words.

TO = = X OC MANGALORE C 4. 61 FOURTH ADVISER

TO H E THE GOVERNOR MADRAS FORT ST GEORGE

OUR FACTORY EMPLOYING TWOFIFTY LUBOUR ENTIRELY —

DEPENDS ON MIZAR KRISHNA ANNAPPAI COMPANY FACTORY

PROCESSING RAW CASHEWNUTS STOP CONSEQUENT SUBDIVISIONA

MAGISTRATE ORDER STOPPING BURNING OPERATIONS IN

MIZARS FACTORY OUR ENTIRE WORK AT STAND STILL

AFFECTING OUR WHOLE LABOUR PRAY IMMEDIATE INTERFERENCE

HEAVY AMERICAN CONTRACTS PENDING FULFILMENT

= HINDUSTHAN COMMODITY CORPORATION =

A3
6 6 4

709

B Class] Prefix _____ Code _____ INDIAN POSTS AND TELEGRAPHS DEPARTMENT No.

6480

Office-stamp

Rec'd. at _____
From _____
By _____

Words

X PD MANGALORE KNA 4 51 THE FOURTH ADVISER TO

TO H E THE GOVERNOR FORT St GEORGE MADRAS

OUR FACTORY MANUFACTURING CASHEW KERNALS EMPLOYING

THREEHUNDRED LABOUR ENTIRELY DEPENDS ON MIZAR KRISHNA

ANNAPAI COMPANY FACTORY WORKING STOP SINCE _____

SUBDIVISIONAL MAGISTRATES INJUNCTION ON MIZARS OUR

FACTORY AT STANDSTILL WHOLE LABOUR INVOLVED PRAY IMMEDIATE

N B. —The name of the sender is unregistered, unless the contrary is stated.

RELIEF - KASTURI SARVOTHAMPAI COMPANY =

TELEGRAMS: NUTCO.
Hindusthan Commodity Corporation Ltd.
IMPORTERS & EXPORTERS
BUNDER, MANGALORE.

To
The Third Adviser To
H.E. THE GOVERNOR,
Fort St. George, MADRAS.

Ref:- No. 124/ 45. Mangalore, 4th June, 1945.

Sir,

We hereby confirm the express wire sent to you as follows:

Our Factory Employing Twofifty Labour Entirely Depends On Mizar Krishna Annappai Company Factory Processing Raw Cashewnuts Stop Consequent Subdivisional Magistrates Order Stopping Burning Operations In Mizars Factory Our Entire Work At Standstill Affecting Our Whole Labour Pray Immediate Interference Heavy American Contracts Pending Fulfilment.'

We are exporters of cashew kernels to America and we get the raw cashewnuts processed in Mizar Cashew Works at Urva who after extracting oil therefrom deliver the nuts to us for further processing. Mizar Cashew Works have been prohibited from working the factory by an injunction by the Sub Divisional Magistrate as he has been informed by a police report that there is smoke

nuisance in the cashew works.

By the stopping of the works, we are put to heavy loss as there are large contracts for fulfilment with America and about 250 labourers are also put out of employment in our factory.

We therefore pray for immediate interference in the matt

We remain,
Sir,
Yours faithfully,
For Hindusthan Commodity Corporation Ltd,

B. V. Baliga
Director.

P. N. Sept

Noted. The minutes of the Collector have already been called for.

P.S.
7-6-45

8.6.45

Telegrams & Cables: "MIZAR"
CODES:
BENTLEY'S 1ST EDITION
ACME & PRIVATE.

MIZAR KRISHNA ANNAPPA PAI & CO.,
MANUFACTURERS & EXPORTERS,
MANGALORE, S. INDIA.

PHONE: OFFICE: 52. FACTORY: 63. AFTER HOURS: 63 A.

June 2, 1948.

A3 6645

The IV Adviser to
H. E. the Governor of Madras,
Fort St. George, MADRAS.

6522

Sir,

We hereby confirm the following express telegram which we have sent you this day.

"MANGALORE SUBDIVISIONAL MAGISTRATE PASSED INJUNCTION ORDER STOPPING WORKING CASHEWNUT FACTORY RESULTING IN STOPPING PRODUCTION OF CASHEW OIL ESSENTIAL WAR MATERIAL AND OVER THIRTEEN HUNDRED PEOPLE OUT OF EMPLOYMENT URGENT REVOCATION ORDERS SOLICITED GREAT DISTRESS AMONGST WORKERS PREVAI

Our factory has been working since 1930 and in 1937 improved machinery for which patents have been obtained were installed. The place where the factory is situated is predominantly an industrial area and the injunction order has resulted in great hardship as the production of cashew oil which is an essential war material is completely stopped. We therefore solicit interference in the matter.

Yours faithfully,
Mizar Krishna N
Partner.

TELEGRAMS: NUTCO.

Hindusthan Commodity Corporation Ltd.

IMPORTERS & EXPORTERS

BUNDER, MANGALORE.

To The Fourth Adviser to
H.E.THE GOVERNOR, FORT ST.
GEORGE, M A D R A S.

Ref:- No. 121/45. 6-JUN 1945 6523 Mangalore, 4th June, 1945.

Sir,

We hereby confirm the express wire sent by us to you as follows:

Our Factory Employing Twofifty Labour Entirely Depends On Mizar Krishna Annappai Company Factory Processing Raw Cashewnuts Stop Consequent Subdivisional Magistrates Order Stopping Burning Operations In Mizars Factory Our Entire Work At Standstill Affecting Our Whole Labour Pray Immediate Interference Heavy American Contracts Pending Fulfilment.'

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nuisance in the cashew works.

By the stopping of the works, we are put to heavy loss as there are large contracts for fulfilment with America and about 250 labourers are also put out of employment in our factory.

We therefore pray for immediate interference in the matter.

We remain,
Sir,
Yours faithfully,
For Hindusthan Commodity Corporation Ltd,
B. V. Baliga
Director.

THE KANARA CHAMBER OF COMMERCE

[Affiliated to: The Southern India Chamber of Commerce, Madras.]

BUNDER

MANGALORE 2nd June, 1945.
(South India.)

No.....

To
The Fourth Advisor to His Excellency the Governor of Madras,
Fort St.George, Madras.

A3.
6645

Post Copy of the Telegram of date.

Express: FOURTH ADVISOR TO HIS EXCELLENCY THE GOVERNOR OF MADRAS
MADRAS

Mizar Cashew Factory established in 1930 essential Shell Oil Industry suddenly closed by Magestrial Orders thousand three

KANARA CHAMBER OF COMMERCE

/True copy/

For The Kanara Chamber of Commerce

FOR HON.SECRETARY

A
6494

Remarks of the Collector have already been called for - vide p. 18 above.
Ps.
2-6-45.
2.6.45
2/6/45

Spl

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

C.

NOTICE

This form must accompany any inquiry made respecting this telegram.

Charges to pay.		Office Stamp.
Rs.	As.	

Handed in at (Office of Origin)	Date.	Hour.	Minute.	Service Instructions.	Words.
TO				Recd. here at H. M.	

N.B.—The name of the Sender, if telegraphed is written after the text.

Eden Press, Calcutta—No. 18 (5170/B-16)—10-4-44—1,00,000 Bks.

complete RJP

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

C.

NOTICE

This form must accompany any inquiry made respecting this telegram.

Charges to pay.	
Rs.	As.

Office Stamp.

Handed in at (Office of Origin)	Date.	Hour.	Minute.	Service Instructions.	Words.
TO Complete					

Recd. here at H. M.

enquiry

= Kanara chamber of commerce

N.B.—The name of the Sender, if telegraphed is written after the text.

Eden Press, Calcutta—No. 18 (5170/B-16)—10-4-44—1,00,000 Bks.

Confdl

Public (Genl) Dept

Endt No: 42/45-1 D: 6-6-45

Referred ~~Forwarded~~ to the District Magistrate of S. Kanara for ~~urg~~ urgent remarks.

O/C 1U 5/6/45

Under Secretary to Govt.

4/6/45 4/6/45

To the Dis... S. Kanara.

3pl

Bor

Submitted to A4 in marked
I took the liberty of opening
it in case it referred to
anything specially urgent
concerning Public Depts.

8/6/45

A4 This is really meant
for A3.

9/6/45

A.S

A3

What is this all about?
Some explan

9/6/45

Note for C.S.

I send the attached letter addressed to the Admiral to C.S. this morning. Since it has been separated [illegible] a A_4 has left Malta. As it may be important I suppose it be opened & then send it [illegible] alternative there will be still further delay.

[illegible]

7/6/41

1814
N
8

X O H

mangalore kna 2 4

fourth advisor

to his excellency

the governor of

Madras as your

mizar cashew factory

established 1930 essential

shell oil industry suddenly

closed by magistrial orders

thousand three hundred

employees involved

distress prevailing

revocation of orders

requested pending inde

pendent and complete

enquiry kanara chamber

of commerce

MALABORE
TEL.
2 JUN.45

From

MANGALORE, D/2nd June 1945.

The Honorary Secretary,
The Kanara Chamber of Commerce,
Bunder, Mangalore.

To

6524

THE FOURTH ADVISOR
TO HIS EXCELLENCY THE GOVERNOR OF MADRAS,
FORT ST.GEORGE, M A D R A S.

S i r,

The attention of this Chamber has been drawn to the sudden closing down of the Cashew-nut factory of Messrs. Mizar Krishna Annappa Pai & Co., Mangalore, by magestrial order. An injunction order has been passed by the Revenue Divisional Officer, Mangalore prohibiting the carrying of burning operations in the factory thereby completely stopping the factory and throwing out of employment more than 1,300 workers. This precipitate action has been evidently taken at the instance of the Labour Conciliation Officer and without going into the merits of the case.

2. In this connection, I may be allowed to state that this factory, the premier of its kind in this District, was started as long ago as 1930. It has been ever since then carrying on its operations without hindrance or objection on the part of anybody. Besides processing cashew nuts, it also produces large quantities of cashew shell oil which is an important strategic War Material. The Revenue Divisional Officer has clearly overlooked all these aspects when he passed the injunction order above referred to. It also appears that certain residents of the locality also complained to the authorities about the burning operations carried on in the factory and it is quite likely that the magestrial order was also prompted by such complaints. But I may state that these burning operations have been carried on in the factory ever since the year 1930, more than 15 years now. No complaints were sent up by the local residents till recently and I may legitimately draw the inference that these people have been set up by interested parties to make the complaints.

3. The situation resulting from the sudden closing of the factory is highly deplorable and distressing. About 1,300 worker have been suddenly thrown out of employment, thus depriving them of their daily means of livelihood. In a period like the present when the general level of prices of even essential commodities is highly inflated, the distress resulting from this sudden unemployment of about 1,300 workers can be well-imagined. There are hardly any alternative avenues of employment which can be immediately offered to these labourers.

4. This Chamber desires to urge on you that the magestrial order is ill-conceived; while there should not be any flagrant violation of the provisions of the Public Health Act, care should be taken to see that punishments imposed are not grotesque as in the above case.

5. I therefore request you to order revocation of the injunction order, pending full and independent enquiry by an independent tribunal.

I have the honour to be,
Sir,
Yours obediently,
For The Kanara Chamber of Commerce,
For HON.SECRETARY.

Copy to:
1. The Chief Secretary To The Government of Madras.
2. The Director of Industries & Commerce, Madras.
3. The Director of Public Health, Madras.

LABOUR DEPARTMENT.

From
Sri P.S.Moses, M.A.,
Labour Conciliation Officer, Madras.

To
The Commissioner of Labour,
Madras.

Pol.No.1/1945 dated 2-5-1945.

Sir,

LABOUR - Diary of the Labour Conciliation Officer, Calicut from 24-4-1945 to 30-4-45 - Submitted.

** ** * **

25-4-1945: to 28-4-1945. Visit to Mangalore.

Mijarkar Cashewnut Factory, Urva, Mangalore: In pursuance of the several complaints addressed to the Commissioner, the Collector S.Kanara and to me, I interviewed the Managing Partner, Mr.Mijar Govinda Pai on 25-4-1945. Mr.Govinda Pai seems to be one of the slippery sort of men I have ever come across. He puts all the blame on the Union workers. He does not seem to have any consideration or sympathy for the workers or the people who live round about the factory area. He thinks that business is business and that he must be free to do things as he likes without attaching any value of to moral and ethical considerations. Certain promises he made on 15-9-1944 in the presence of the Commissioner and the Collector have been left unfulfilled and he has been giving evasive replies to my reminders.

1. With regard to excessive smoke that caused discomfort and ill-health to the workers and the neighbourhood he wrote to me on 26th March 1945 that the number of machines had been reduced and the smoke had been brought under control. But when I visited the factory at about 11 A.M. on Friday 27-4-1945 accompanied by Mr.C.L.Lobo,B.A., B.L., the Vice-Chairman of the Municipality what he had written to me and told me in person was found to be definitely untrue. Even at a distance of four furlongs from the factory we found it extremely difficult to proceed due to suffocation and irritation caused by the excessive smoke that was being spread out on all sides. The moment some clerks saw us nearing the gate the chimney that was producing the worst kind of smoke stopped working. In a few minutes it began to work and again it stopped. This happened when we were standing in front of the office. But within a few seconds before we could go near the machines they were all brought under control and we could remain without intimidation. In the meantime some neighbours came to request us to have first hand knowledge of the sufferings caused by the smoke to the neighbourhood. They showed more than half a dozen people suffering from acute asthma caused by the smoke and it was reported that a large number of people of the locality have contracted asthma, cough and lung complaints within the last two years. Our further enquiries definitely confirm this report.

Dr.P.Narasimha Pai who is in charge of the Mijar Annappa Anantha Dispensary (Ayurvedic) told us that the majority of the patients who attended his dispensary had asthma, cough and some had also T.B. He also said that on an average about 30 workers of the Mijarkar Factory come to him daily for treatment, of whom the majority had asthma, cough and T.B.

Dr.Govinda Bhat, L.I.M. told us that most of the asthmatic and cough cases in Urva were due to the smoke sent out of the Mijarkar Cashew-nut factory and that no cure was possible unless burning operations were stopped. Dr.Govinda Bhat added that he was planning to shift from the locality because of the smoke nuisance.

Mr.B.Tonga, teacher in charge of the Labour School told us that he and the children were unable to manage because of the smoke. He added that he got asthma after coming to work in the school and that many children have also contracted this disease. He sent a complaint on 23-9-1943 to the Dt.Health Officer through the then Dt. Labour Officer Mr.Maben. Mr.Maben is reported to have made a personal enquiry but no reply has so far been received by the teacher. But he added that Mr.Govinda Pai gave free clothes to 40 children in March 1944 but no steps have been taken to mitifate the smoke nuisance. The present Dt.Labour Officer Mr.Shiva Rao is reported to

have visited the school on 5-4-1945 when he personally experienced the smoke nuisance. The teacher has not yet heard from Mr. Shiva Rao.

About half a dozen workers who met me in the evening reported that 200 to 300 workers of the Mijarkar Factory were suffering from lung complaints due to smoke. When it became unbearable the workers go out on the pretext of going to latrine and come back after enjoy--ing a little fresh air. Cases of fainting have also been reported. Dr. Govinda Bhat and others whom I met have heard of cases of faintin due to intensive suffocation.

Mr. Lobo and I have personally witnessed the harm done to the -- workers and the neighbourhood due to the smoke nuisance in the Mijarkar factory and it has completely shattered the health of the locality. Many reported that Mr. Mijarkar Govinda Pai was only anxious that people should leave the locality so that he could buy up their properties. he factory smoke has already done incalculable harm to the workers nd the neighbourhood and it should on no account be permitted any urther.

2. Medical Arrangements: On 15-9-1944 Mr. Govinda Pai promised he Commissioner and the Collector that a woman Doctor would be ap--pointed as soon as one was available. He now writes to say that he has instructed the Sri Ramakrishna Dharma Vaidashrama to appoint a woman Doctor as soon as one is available. He must be reminded again on this point.

3. Tiffin Shed and Creche: Mr. Govinda Pai promised to the Commissioner and the Collector on 15-9-1944 that he would provide a tiffin shed as soon as he could get the required materials. He also promised to provide a chreche. During my visit I found some new buildings under construction, for which he could secure materials. But tiffin shed and creche have escaped his consideration.

It was reported that about 600 people bring their meals for --- mid-day and they eat them in any place they find inside or outside the factory. The proper tiffin shed is an urgent necessity. Here the --- Manager must be asked to fulfil his promise made on 15-9-1944.

As for working mothers they are compelled to leave babies in their houses without proper care because the Manager has not made any arrange--ment to look after them near the factory premises. Here also he has onl to fulfil the promise already made.

4. Canteen: About half the number of workers, it is reported, bring their scanty meals for mid-day and others buy some cooked Bengal-gram or Sweet-potatoe or jaggery and drink water. This is a pitiable state indeed. Mr. Govinda Pai seems to be absolutely uncomerned about running a canteen to provide mid-day meals and I suggest that he should be pressed to open a canteen.

5. As for Standing Orders which are of immediate need especially in concerns like the one under report Mr. Govinda Pai does seems to appreciate its value. He says that he got a copy of model Standing Orders from the Commissioner concerned; but he does not see the need for framing Standing Orders for his concern before the passing of legislation to that effect.

6. Dismissal of workers: When the factory re-opened in March 1945 he has refused work to 8 women and 5 men for the sake of discipline. Most of these workers have served him from 10 to 15 years and the reasons he has given are not satisfactory.

Mr. Govinda Pai's oppressive attitude towards the workers and his lack of consideration for his neighbourhood are highly undesirable. It is very necessary that he must be strongly and effectively advised. I visited his factory again in the evening of which he was aware. He had definitely promised to be there before 5 P.M. for a further dis--cussion with me. I went there at 4.15 P.M. when his clerk Narasimha Nayak phoned to him he replied that he would be in the office within a few minutes. Between 4.20 and 6 P.M. the clerk phoned several times and

every time he could say that he would be there within 5 minutes.--
I left the line after 6 P.M. and he carefully avoided meeting me.

/Time unknown/

NB
8/6

Ref.No.16/1945.

Labour Conciliation Office,
Calicut, dated 26-5-1945.

From
Sri P.S.Menon, B.A.,
Labour Conciliation Officer,
Calicut.

To
The Collector of S.Kanara,
Mangalore.

Sir,

Sub: LABOUR - Situation in the Vijarkar Cashewnut Factory, Uruga, Mangalore - Report submitted.

In continuation of my several previous reports with regard to working conditions in the Vijarkar Cashewnut Factory my last report has been given in pages 1, 2 and 3 diary d/ 2-5-1945. The Asst.Director of Public Health, Madras who was deputed to visit the factory will soon make his report available. The most crying need to be immediately met is the stoppage of smoke nuisance which has completely wrecked the health of the workers as well as of the neighbourhood and I strongly recommend that burning operations must be stopped at once and the Management must be allowed to re-start work only after effecting the necessary improvements in the machinery. Otherwise the Manager will go on giving evasive replies and win his own point. There can however be no objection to continue peeling and shelling in the Factory premises.

Sd/----------
Labour Conciliation Officer, Calicut.
/True copy/

No.C.4/2563-G.Y.

Office of the Comnr. of Labour, Chepauk,
Madras, dated 20/23rd May 1945.

From
C.S.Vijayaraghavan Esq., I.C.S.,
Commissioner of Labour, Madras.

To
The Collector & Dt.Magistrate,
South Canara, Mangalore.

Sir,

Sub: [illegible] CASHEWNUT FACTORY, URUVA, MANGALORE - Smoke Nuisance.

Ref: Diary of the Labour Conciliation Officer, Calicut for the period from 24-4-1945 to 30-4-1945, copy sent to you.

The Labour Conciliation Officer, Calicut states that the smoke nuisance caused by Vijarkar's Cashewnut Factory, Uruva, Mangalore affects the health of the workers and even the local inhabitants. I shall be glad if you will let me have a report in the matter.

C.S.Vijayaraghavan,
Commissioner of Labour.

/True copy/

[illegible] dated [illegible]-5-46 from the Dy. Supdt. of Police, Mangalore to the Sub-Divisional and First Class Magistrate, Mangalore.

Sub: Mangalore town - Mizar Krishna Annappa Pai's Cashewnuts roasting factory at Bolloor Urve - Public nuisance - Action under 133 Cr. P.C. - Enough for.

---

(1) Sri Mizar Govinda Pai (2) Sri Mizar Devadass Pai, (3) Sri Mizar Krishna Pai (Managing partner and Nos. 2 and 3 partners of Messrs. Mizar Krishna Annappa Pai and Co.,) are running a cashewnut roasting factory, which is situated in Bolloor Urve within the limits of Mangalore Municipality, in the midst of dwelling houses mostly occupied by other poor classes.

I am complained that the working of the factory here has been partaking the complexion to a nuisance or a menace from the factory, with dense smoke possessing irritating smell which is injurious to the health of the inhabitants of the locality. I have inspected the factory while it is working in full swing and talked to several persons in the neighbourhood. They say that they have been subjected to this suffering and discomfort affecting their health seriously despite their repeated representations to the municipal authorities, etc. I have also felt by my stay for more than an hour in the locality and in the neighbourhood that the smoke nuisance is intolerable and is certainly dangerous to the health of the public and that the grievance of these residents is a genuine one. There is also a labour school nearby and it is certainly not conducive to the tender souls. It would appear that several of these poor inhabitants are under the fear that if they were to speak, [illegible] and [illegible] the owners of this factory who are one of the wealthiest and influential persons of the town might overwhelm them away the little holdings they have got there in many instances and drive them out. Many of these inhabitants being poor cannot have proper medical aid to counteract this [illegible] and the result is that a large section of them seem to be [illegible] lung diseases. This is substantiated by several reports of the officers of the health department who have declared that the working of this factory in such close proximity to crowded habitations is contrary to the Government orders [illegible] positive menace to the health of the public. I have [illegible] showed shells being used as fuel in the burning oven [illegible]. This coupled with the fact of the noxious smoke coming out through a large number of low chimneys and other outlets [illegible] to fulfil the important conditions assigned by the Municipal Council, [illegible] this nuisance should be stopped forthwith. When I enquired for the licenses granted by the Municipality, the clerk-in-charge said that they were with the owner and they would be produced shortly. So far they have not done so though my inspection was on 15-5-46. It is doubtful whether they have a valid permit or license from the municipality to conduct these operations within the municipal limits. I consider that action under section 133 Cr. P.C. is urgently needed to obviate the nuisance and injury to the public health.

P.t.o.

It need be the following also should be enquired-

1. Mr. P. Mozes - Labour Conciliation Officer - Calicut.
2. Mr. Mahon - Sub-[illegible] State, Karkal - Labour Officer South Kanara.
3. Dr. A.P. Thomas - District Health Officer - South Kanara.
4. Sri B. [illegible] - [illegible] Labour School - Coloor - Mangalore.
5. Sri Vigorin [illegible] - Sanitary Inspector - Mangalore Municipality.
6. Mr. Alfred -do- -do-
7. Sri [illegible] Chowdappa - Coloor - Mangalore.
8. Mr. A. Noguoir, Coloor. 9. [illegible] Bajbo [illegible] Coloor.
10. T. Lakshminarayana [illegible], [illegible] Coloor. 11. A.T. [illegible], Coloor.

12. Sri B. [illegible], Coloor.
13. P. Venkappiah, Coloor.
14. Baptist [illegible], Coloor.
15. Mr. Francis Souza.
16. [illegible], Coloor.
17. Sri P.A. [illegible] - Coloor.
18. Mrs. [illegible], Coloor.
19. Head Clerk of [illegible] Health Office, Mangalore to file with the Income applications and complaints received in 43-44 and 45.
20. Head Clerk, of the District Board Office - Mangalore to file W.T.52 and relating to Labour and Orders, for 42 and 43, and the District Health Officer's report, T.Dis.2405-42-7, dated 20-7-43.

Pm
8.6.45

Inspection Notes of the Asst.Director of Public Health (Vital Statistics),Madras, on Cashewnut Factory of Mijarkar Krishna Annappa Pai,Company, Mangalore, South Kanara District.

Inspected the Cashewnut Factory of Mijar Krishna Annappa Pai Co., on the 21st and 23rd instants, and also inspected ... Messrs.Pierce Leslie & Co's Cashewbut Factory on the 22nd instan for a comparative study.

Before I can give out my suggestion, it is very necessary to briefly state the processes that are carried on, in the Krishna Annappa Cashewnut Factory.

Raw cashewbuts - about 200 bags per day are being roasted, in order to obtain the kernel inside for export purposes; cashewnuts are first thrown, after cleaning into a big receptacle which feeds the tank in which roasting in the oil that is excreted from from the shell of cashewnut is done. As far as this is concerned, it is a closed one with a vent or chimney for oil fumes to get out. It is fed by cashew nuts on the one side and roasted cashew nuts and oil are received on the other side. The oil that overflows is being collected in drums. In order to keep this roasting tank at the proper temperature, it is fed with cashew nut shells. The cashewbut, as it comes out, is being shelled, sorted and packed in different sheds.

During the process of roasting in the oil, fumes of boiling oil, are led into the air through the chimney. Further, the shells that are burnt for boiling the oil contain 6-7% of oil and when those shells are burnt in the oven, the oil fumes and the carbon particles are dispersed into the air into through the other chimney. Hence (i) the oil fumes from the oil chamber for roasting, and (ii) the oil fumes and carbon particles from the shells are both dispersed into the atmospheric air --- without any treatment. The oil fumes and the dark smoke that get out through the chimneys cause the most pungent and irritating smell.

There is absolutely no doubt in my mind that the health of the workers and that of the neighbourhood is affected by these oil fumes and soot. This is bitterly complained of by the residents of the locality and I have inspected many houses, and poor school and the surrounding area and I have seen several asthamatic patients and men, women and children suffering from the ill-effects of these gases.

In order to remove the 6-7% of oil present in the roasted cashewbut, Messrs.Pierce Leslie & Co., have got a process of centrifugalising the nuts, after roasting. After centrifugalising, the nuts generally contain about half to one per cent of oil so it would be necessary for Krishna Annappa Pai Co., to add these centrifugalising machines to their processes. The cashew shells are used by Messrs.Pierce Leslie & Co., with coffee husk for burning purposes. There is no irritating smoke of any kind from the chimney. If it is necessary to use the cashewnut-shells as fuel in Mijar factory, it may be used, provided further measures are undertaken to see that the smell that emanates from the burning shells is by some process converted into a non-irritating --- smoke, free from carbon particles and free from irritating fumes. My own idea about this is that the smoke should be again burnt out in a separate furnace, thus the fumes of the oil and the carbon particles might get themselves burnt out completely. Or they may be passed through expanded drums so that the soot and the oil may settle down; or they may be passed through water or some other fluid. The machinery required for this purpose is to be devised by a Mechanical Engineer and approved by the Industrial Engineer. My suggestion is that by some means or other, the irritating and pungent smoke should be deprived of carbon particles and the oil fumes. These gases both from the oil tank and the oven should after proper treatment be distributed to the atmosphere through a masonry constructed chimney ranging about 50 ft.in height. The treatment of the gases and their distribution into the atmospheric air as to be innocuous, is a most important and present necessity.

and unless this measure is immediately carried out, the Factory should not be licensed.

2. Shelling compartment: The place set apart for shelling the roasted cashew-nuts is very insanitary. The roofing of the shed is low and consequently is not well-ventilated. About 600 to 800 people work in this department. Considering the number of people employed the accommodation is quite inadequate. There should be properly constructed impervious flooring for the workers; besides elongated trenches for the deposit of cashew-nut shells during the process of shelling, should also be provided by the side of the workers abd the shed should be open all round. Exhaust fans should also be provided in this section, preferably electric fans at suitable places. The number of workers that should be allowed to work in this shed should be fixed with reference to the floor area of the shed. The ash and dust nuisance should be avoided. Now it is apparent, the workers are constantly inhaling the dust.

3. Drying Section: The flooring is terribly slippery and --- shows how unclean the place is. It has never been washed. Such a place should be daily washed. It should be always kept in a scrupu--lously clean condition. Even here, the height of the chimney should be increased and the fuel used should be either fire-wood and if cashe--shells are used, they should be treated as indicated above.

4. Peeling Section: It is congested - more room should be given to the workers. Here also the number of workers should be fixed to the square area of the shed. Better lighting and ventilation is required. It is at present dark, ill-ventilated and ill-lighted. The flooting of this section requires considerable improvement.

5. Packing and tinning Section: This section also is very con--gested. The flooring was not kept in a clean condition at the time of my inspection. The tin-bits should not be thrown about indiscreimi--nately on the floot, but should be deposited in a receptacle provided for the purpose.

The odour that emanates as a result of treating the tin plates intended for packing, with alum is very pungent, due to lack of pro--per ventilators and a hood. The fire-place should hooded so that the gas and dust that emanates be straightaway taken into the chimney in--stead of spreading into the whole room of the section. Further, fuel used should be firewood; if not, it should be treated as indicated above.

6. Water supply: Is extremely insufficient. There are two wells in the premises which had about 6" to 9" of dirty water during my inspection. It may be necessary to put in some bore-wells inside or augment the water-supply by digging separate wells. These wells should be provided with over-head tanks and supplied by taps. There should be more covered vessels for supply of drinking water to the workers in the sheds.

7. It is also necessary to provide a mid-day meal to the labourers.

8. A woman medical officer and Creche should be attached as there are many women labourers. The Woman Medical Officer may be part-time if necessary.

9. Tiffin Rooms: Some of the rooms within the Factory premises said to have been formerly used as tiffin rooms for the workers are now used by the Co-Operative Department for storing grains etc. I believe they were never used as tiffin-sheds, for there are no windows, no pro--per ventilation and they are now used as stores. Separate tiffin sheds for 1000 labourers at 4 Sq.ft. for each person, should be provided for purp--poses of taking food with necessary water supply.

10. Latrines: The present latrines are inadequate and have no water supply. Septic tank latrines catering for 1300 to 1500 labourers should be provided with automatic flushing arrangements and dispersion trenches. A factory of this magnitude and income ought to provide a septic tank latrine. Necessary plans should be obtained from the Sanitary Engineer to Government, Madras.

In conclusion I review below in the order of urgency, the conditions under which the Factory should be licensed:

(1) Treatment of the oil fumes from the oil tank and the gases that emanate as a result of cashew-fuel.
(2) Centrifugalising the roasted nuts.
(3) Water-supply and latrine arrangements.
(4) Improvements to the shelling and peeling sections.
(5) Other improvements as Medical attendances, creche, etc.

Of these, items 1 and 2 are most urgent and should be carried out immediately.

Items 3, 4 and 5: A time limit of three to six months ---- should be given for carrying out the improvements.

Sd/A. Thirumaliah,
28-5-1945
(Rao Bahadur, L.R.C.P.& S., etc.)
Asst. Director of Public Health (Vital-Statistics), Madras.

/True copy/

Ref.B.4/4458-45.

S.Kanara Collector's & Dt.Magte's.
Office, S.Kanara, Mangalore,
Dated: 10-5-1945.

From
Rao Saheb Sri P.Ramadoss,B.A.,
Collector & Dt.Magistrate, --
South Kanara, Mangalore.

To
The Dt.Superintendent of Police,
South Kanara, Mangalore.

S i r,

CRIMINAL JUSTICE - Mangalore Town - Public nuisance - Mijarkar's Cashewnut Factory, Boloor.

I desire to bring to your notice the alleged public nuisance in Boloor which is said to cause serious danger to public health. This nuisance is caused by the noxious fumes produced by the Mijarkar's Cashewnut Factory working in the place. I forward herewith all the several -- petitions received by me in the matter (list enclosed) as well as an extract from the report of the Labour Conciliation Officer, Calicut. I also invite your attention to G.O.No.Ms.749, Education & Public Health Department, dated 24th February 1938 according to which this factory has failed to fulfil all the three important conditions designed to save the public from the nuisance of the smoke of cashewnut factori The history of the case clearly indicates that the proprietor who is a wealthy and influential person has been able to successfully to get round the Municipality and flout the local feeling in the neighbourhood whereas a cashewnut factory of Messrs.Aspinwall & Co in the same neighbourhood was closed in 1941 owing to the agitation of the public. The result is that the unfortunate residents of the locality have despaired of any redress and seem to see no prospects of alleviation of their suffering. Allegations are made against the Municipal Health Officer that he has taken no interest in the matter and has not done his duty. The outstanding fact remains that a ---

P.T.O.

section of the public are undergoing considerable suffering on account of the indifference of the proprietor and the callousness of the officials concerned. It is time that the matter receives our attention. I therefore request you to move the Sub-Divl.Magistrate Mangalore urgently in the matter under Section 133 Cr.P.C. and obtain orders for the abatement of the nuisance. The relevant records in my office may be perused for further details.

Sd/P. Ramadoss,
10-5-45.
Collector & District Magistrate.
/True copy/

Compared
8.6.45

From

The Secretary,
Cashewnut Workers' Union,
Urva, Mangalore.

To

The Chief Secretary,
Govt. of Madras, Madras.

UNDER SEC. PUBLIC WORKS DEPARTMENT GOVERNMENT
18 JUN 1945

S i r,

I am herewith sending the ~~resolu~~ resolution passed in a public meeting held on 10-6-45 under the auspices of the Cashewnut Workers' Union under the presidentship of Devendra Suvarna, President of the Union, for your kind consideration and immediate action.

Thanking you,

I beg to remain,
S i r,
Yours obediently,

Mangalore,)
)
D/-10-6-1945.)

S e c r e t a r y.

Urva, Mangalore.

(1) "This public meeting views with grave concern the hardships to which the workers of the Mizarkar's Cashew-peeling Factory, Urva, are thrown as a consequence of closing the factory to safeguard the health of the workers and the public. This meeting demands of the proprietors of the factory and requests the Government to expedite re-opening of the factory after making adequate arrangements to safeguard health of the public and the workers and give workers due compensation for the involuntary unemployment for the number of days the factory remains closed". This meeting authorises the President to send copies of this resolution to the Chief Secretary, Govt.of Madras, Adviser, Public Health, Labour Commissioner, the District Magistrate, the Proprietors, Mizar's Cashew peeling factory and Director of Public Health".

(2) "This meeting of workers and citizens of Urva demands of the owner of Mizars Cashew Peeling Works, Urva, to reinstate all the workers dismissed from service and requests the Government to intervene in the matter".

(True Copy)

Moved by: Shantharam Pai
Seconded by: S. Soans

Secretary.
Cashewnut Workers' Union,
Urva, Mangalore.

Passed
B. Devendra Suvarna

535 189 12 6 ~~272~~ 55 G.

TELEGRAPHS DEPARTMENT

Pub level
A report has just come from Colly. Add this to file & put up
M 12/6/45

Charges to pay.	Office Stamp.
As	12 JUN

Revised Instructions Words.

TO Recd. Date 2) H. M. ~~11-63~~

Of [illegible]
Resorption
Public [illegible] field
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Cooperative [illegible] which
workers [illegible] Cashew
[illegible] factory [illegible]

consequence [illegible] factory

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Public meeting held
Tenth June 1745 (?) with
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Peeling Factory one thousand

Composed were closure factory

~~244~~ 3
56

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

No.

H. M.

Office Stamp.

Date. Hour. Minute. Service Instructions. Words.

TO

Rec'd here at H. M.

factory to safeguard public health side by side encouraging Dev[illegible] angels [illegible] adequate arrangements to safeguard health with least hindrance. Such requests government

If any rider should be written after, but separated from the text.

report [illegible] completely to give

Import customers to Quick
delivery stock requests approval
Solequand health with heat
order overnight to
ovada neighboring warehousing
health stock meeting been-
factory to Solequand power

~~27~~ ~~31~~ ~~5~~
57

TELEGRAPHS DEPARTMENT

Charge to pay.	Office Stamp.
1	TELEGRAPHS 12 JUN 1
Revise Instructions.	Form.

TO

Recd. hour H. M.

Comp. for [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] papers
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] separately

D.O. 5.8

Public (Genl) Dept.

U.S.'s orders at p.27 ante.

Submitted that the main file on the subject has been sent to P.W.D and it has been ascertained from them that the file will be returned to this department before this morning with their papers. This telegram and the Collector's report will be added to main file & submitted immediately on its receipt ~~from the main file~~.

Yes. But it seems a matter for E & P.H. & not for this Dept.

12/6/45

12/6/45

12/6/45

Government for Publicity Department from Government of India: Please draw Collector's attention to Director General of Posts & Telegraphs.

C F 32 (a).

In reply, please quote number, date and short title.*

Industries & Commerce DEPARTMENT.

Received ..... Registered .....

30470-D/45
11.6.45

From (Name) A.Khaleeli Esq., I.C.S.,

(Designation) Director of Industries and Commerce,

Post Box ....., (Station) Madras.

Telegraphic Address .....

To

The Secretary to Government,
Development Department.

No. 4796-A1/45 dated 15th June 1945.

Sir,

Sub: Cashewnut - Roasting in the Factory of Messrs. Mizar Krishna Annappa Pai, Cashewnut Factory - Work stopped.

--

The Kanara Chamber of Commerce, Mangalore has brought to my notice the closure, on the orders of the Sub-Divisional Magistrate, Mangalore of three cashewnut factories employing over 2,000 workers. The Factory belonging to Messrs. Mizar Krishna Annappa Pai & Co., which is the biggest of the three has been in existence since 1930 and has always used cashew-shell as fuel (instead of firewood). The Municipal health authorities of Mangalore have objected to the use of cashew-shell as fuel as this, in their opinion, give out harmful fumes. Some eighteen months ago while I was in Mangalore and had occasion to visit this Factory I was informed of this objection. I discussed it with the then Chairman of the Municipal Council and took the matter up with the Director of Public Health who had already visited the Factory and had

Enclosures .....

Spare Copies .....

P.t.o.

promised a device by which nuisance could be eliminated A copy of my letter addressed to the Director of Public Health is enclosed. In reply I was informed that the matter would be placed before the Public Health Board Meeting, but so far nothing seems to have been done. In view of this long delay in suggesting remedial measures, it is hardly reasonable to order the sudden closure of factories employing a large number of workers. I suggest that orders be issued to the Collector to direct the Sub-Divisional Magistrate to withdraw his order closing down the factories. In the meanwhile I have taken up the question myself and have deputed my Industrial Engineer to suggest means and to [illegible] method of eliminating these harmful fumes.

u.c. P.W.D. [illegible] (The dept has, it is understood, a [illegible] on this subject) PWD

30 JUN 1945

Director of Industries and Commerce.

C.V./15-6.

Copy of letter No.1-A/44 dated 1-1-1944 from the Dirdctor of Industries & Commerce, Madras to the Director of Public Health, Madras.

Sub: Nuisance - Fumes - Cashew-shell burning - Factory-Mangalore.

When I was recently at Mangalore I had occasion to visit the Cashewnut factory of Messrs. Mizar Krishna Annappa Pai & Co. I was told by the proprietor that the Municipal Health authorities had ordered the cashewnut factory to stop burning cashew shells and use firewood instead as in their opinion, cashew shells give out harmful fumes. I do not know whether the above complaint is well grounded. I shall, therefore, be glad to have your views thereon.

I was also told that when you visited Mangalore sometime ago, you promised the Proprietor that you would send a device by which the harmful fumes could be made harmless and no nuisance caused to the locality. I shall be glad to know what this device is and whether you have since sent it. Till the manufacturers are able to make use of this device, it seems necessary to allow them to burn cashe and not insist on firewood in view both of the high scarcity of firewood at present and the need for ut the cashew shells. I shall be glad to have an ear

AR/ 8/317

P.W. Dept.

O.M. No 6337-A/45-3, d. 2-7-45.

Sub:- Factories - Mirajor Krishna Annappa Rai & Co. cantonment factory #, Mangalore - Closure

Read - Endt. No. 6337-A/45-1, d. 5-6-45

p. 150 f.

The attention of the C.E. is drawn to the report of the Collector of South Kanara, No. Ref. 6647-45-B4 (confl.) dated 8-6-45 (Copy sent to him direct) and he is requested to offer his remarks thereon at an early date.

No

H 35 26-7

Dy. Sec. AA

For the C.E.

P.S. 30-6-45 30-6-45

C.4. 2563/45 Office of the Commissioner of Labour,
Chepauk, Madras, dated 7-7-1945.

From

C.K. Vijayaraghavan Esq., I.C.S.,
Commissioner of Labour, Madras.

To

The Secretary to Government,
Public Works Department, Madras

Sir,

Factories-Mizar Krishna Annappa Pai and Co. Limited Factory, Mangalore-Closure.
Ref:-Govt. Memo No. 6337-A/45-3, dated 2-7-45.

It will be seen from the notes of inspection of the Factory by the Assistant Director of Public Health, Madras that the working of the factory under the existing conditions is injurious to the health of the workers and to the residents of the locality. I agree with the Collector of South Kanara that the factory should be allowed to resume work only if the conditions imposed by the Sub Divisional Magistrate are fulfilled, especially as they are said to be not very costly or difficult to be complied with.

I have the honour to be
Sir,
Your most obedient Servant,

For Commissioner of Labour.

P.S.9/7

UNDER SECRETARY TO GOVERNMENT
7804 A
18 JUL 1945
PUBLIC WORKS DEPARTMENT

C.F. 32 (a).

Industries and Commerce Department

From (Name) The Director of Industries and Commerce,

Designation Chief Inspector of Mines.

Station

Received ..... Registered 41388 A/45

To The Secretary to Government, Development Department, Madras.

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT :: DEVELOPMENT DEPARTMENT :: 10 JUL 1945

UNDER SECRETARY TO GOVERNMENT :: PUBLIC WORKS DEPARTMENT :: 13 JUL 1945

Enclosure(s) No. 4796-A1/45 dated 6th July, 1945.

Sir,

Sub: Cashewnut - Roasting in the factory of Messrs. Mizar Krishna Annappa Pai, Cashewnut Factory.

Ref: This office letter No.4796-A1/45 dated the 15th June 1945.

In continuation of my letter cited, I enclose a copy of the report of the Industrial Engineer, Madras, whom I deputed for the purpose. I enclose a copy of a letter dated the 2nd July 1945 received from Messrs. Mizar Krishna Annappa Pai & Co., Mangalore and request that orders may be ~~issued~~ passed for the issue of the licence to the Company at an early date, so that the factory may begin work.

for Director of Industries & Commerce.

C/G-7/7.

P.W.D. w.o. (The question was under consideration in P.W.D.).

P.W.D.

Copy of letter dated 2nd July 1945 from Messrs. Mizar Krishna Annappa Pai & Co., Mangalore to the Director of Industries & Commerce

---

Sub: Cashewnut Factory- Urwa.

We have been working the above since 1930 and we were holding a licence from the District Board, South Kanara to work the factoy. In 1940 the Municipal limits were extended and our factory premises came within the said limits. We were duly applying periodically to the Municipality with the prescribed fee but the Municipality was not in a position to grant us a licence as their bye-laws contemplated pan-roasting whereas we were using machinery for roasting the cashewnuts.

In May 1945 the Assistant Director of Public Health inspected our factory and suggested in his Report that licence will be granted to us if we fit an apparatus to the roaster to render the irritating fumes innocuous and produce a certificate from the Industrial Engineer as to the satisfactory working of the apparatus.

We carried out the said instructions and produced the certificate in original before the Health Officer, Mangalore and a copy ~~of~~ before the Assistant Director of Public Health on 20-6-45 but we regret that no licence has yet been granted to us.

We need not point out that our factory employed more than 1000 labourers who are now out of employment. The industry is already slowly diverted to Quilon and if the present state of affairs continue, the industry in this District will practically be smothered. The out-put of our factory is more than half the total out-put of the province as a whole. The Cashew shell oil is an essential war material and this also is seriously effected. We

p.t.o.

have been greatly handicaped in fulfilling our past American contracts and we stand to loose considerably by the withholding of the licence.

We therefore request you to interfere in the matter and request the Assistant Director of Public Health to expedite the granting of the licence.

mk
9/7

Ref. [illegible]

[illegible] South [illegible]
[illegible] lore, [illegible]

From

[illegible] Collector of South [illegible],
[illegible] lore.

To :

The Secretary to Government,
Public (General) Department,
Madras.

6633

Sir,

Factories - Carbonnut factory - [illegible] - [illegible] lore - Nuisance - Closure - [illegible]

Ref.- Endorsement No.4 /45-1, dated 6-[illegible]-45 from the Government, Public (General) Department, Madras.

Lowers. [illegible] remaining carbonnut factory in [illegible] within the limits of [illegible] Municipality. Carbonnuts are roasted in the factory [illegible] and carbonnut shells are used as fuel to roast the nuts. The factory is situated in the midst of thickly populated resident houses. There have been several petitions complaint from the residents of the locality that the nuisance caused by the noxious produced by the factory is injurious to health. [illegible] have been crying for redress but no effective action [illegible] either by the Commissioner of [illegible] lore Municipality or by the Municipal Health Officer though the nuisance complained of is [illegible] contemplated by Section 41 of the Madras Public Health Act. In 1944-45 the factory was allowed to [illegible] licence issued under the Madras District Municipalities Act [illegible] licence has been issued for the current year [illegible] for it on 7-[illegible]-45. The proprietors [illegible] influential persons have been able to get round the Municipality successfully and flout the local feelings in the neighbourhood. On account of their influence, sections of the public have been [illegible] considerable suffering. [illegible] nuisance caused by the factory [illegible] in the town [illegible] there is no doubt that the public health [illegible]. In this connection I [illegible] extract from the report of the Labour Conciliation Officer, Cuddalore, [illegible] copy of his report ref. No.16/45, [illegible] from the Commissioner of Labour, [illegible] 7 dated 5-[illegible] [illegible] copy of the report [illegible] from the Deputy Inspector of Police, [illegible] lore, [illegible] Sub-Divisional Magistrate, [illegible], for a year or [illegible] it is considered that some remedial action is necessary for the removal of the nuisance, [illegible] action [illegible] instituted in the Court of the Sub-Divisional Magistrate [illegible] by the Police. By [illegible] 5-6-45, the Sub-Divisional Magistrate [illegible] combined orders under Section [illegible] and 144 Cr. P.C. directing the proprietor of the factory to desist from carrying on the burning operation in the factory or to regulate it in such manner [illegible] the Sub-Divisional Magistrate after the [illegible] filing objections [illegible] 1-6-45 [illegible] 5-6-45 the proprietor [illegible] the Sub-Divisional Magistrate to the [illegible] Collector. [illegible] the Sub-Divisional Magistrate [illegible] under no circumstances [illegible] for burning [illegible] of the chimney [illegible] the roof of the factory [illegible] 3 feet [illegible] the top of the roof [illegible] building [illegible] to carry [illegible] the [illegible] factory [illegible] the [illegible] factory [illegible] the [illegible] factory [illegible]

[redacted] it and that the health of the workers and of the [redacted] is definitely affected by these oil fumes and soot. [redacted] inspection notes which set out the position vividly [redacted] It is clear from his report that the working of the [redacted] its present condition is very injurious not only to [redacted] the residents of the locality but also to the health [redacted] ers in the factory. It is not a case in which the owner [redacted] factory were unaware of this grave nuisance and danger to [redacted] health. It is a case of wanton flouting of public confidence [redacted] rd of the orders of the Municipal Council. Even in 1944 [redacted] locality imposed conditions that only firewood should be [redacted] r burning and not coke should be used, that the chimney must [redacted] ased in height. This was not complied with and no formal [redacted] ent was taken in 1944-45 and in 1945-46. The public [redacted] it [redacted] unless the public officers [redacted] filing [redacted] enforce the law [redacted] hence my letter to the District [redacted] Intendent of Police to prevent the matter - copy [redacted] [redacted] invited to [redacted] No. 749 Education and Public [redacted] the department, dated 24-[redacted] the conditions of this C.O. have not been complied with. It is open to the proprietors [redacted] r which to run the factory after carrying out the conditions [redacted] by the Sub-divisional Magistrate. They are not very [redacted] difficult to [redacted] In the circumstances it would appear that it [redacted] would be wrong to interfere unless this cottage factory is [redacted] in any [redacted] or contract of which I am not aware. [redacted] However, it may not be fair to the public and to the workers to [redacted] them suffer under such a serious nuisance and danger to health [redacted] while the defect pointed out could be easily remedied by such a [redacted] which could not.

Collector.

[redacted]

Copy of Report dated 1st June 1945 from the Industrial Engineer, Madras (Camp Mangalore).

During my inspection of the trial working of the cashewnut Factory of Messrs. Mizar Krishna Annappa Pai & Co., Mangalore today, I observed that the oil fumes from the oil tank have been treated by being led into the furnace, burnt and discharged through the Chimney. There was no irritating smell felt in the surrounding area caused by the gases coming out the chimney. I am therefore of opinion that the device adopted by the factory for treating the oil fumes from the oil tank has been successful.

2 As I have not previously visited the factory and studied the conditions then prevailing, I am however unable to give a comparative opinion as to the extent of the improvement thus offered.

3 As instructed by the Joint Director, I proceeded to Mangalore on 15-6-45 to inspect the device installed by Messrs. Mizar Krishna Annappa Pai & Co., Cashewnut Factory, To render the cashew oil fumes escaping from the roasting oil tank innocuous. I reached Mangalore on the 16th night. On the 17th morning I met the Municipal Health officer who gave me to understand that the chief objection was to the cashew oil fumes emanating from the tank and contaminating the surrounding atmosphere to an appreciable distance. I then met the Sub Divisional Magistrate and obtained permission for a trial working of the plant on the next day.

4 In company with the Municipal Health Officer, I visited the cashewnut factory of Messrs. Pierce Leslie & Co., on the 18th morning before visiting the factory of Mizar K.A. Pai & Co., The process adopted by both the factories is more or less the same and is as follow

5 Cashew nuts are cleaned in a masonry tank and the cleaned nuts are stored in steel silos to which they are lifted and discharged by elevators. From the silos the cashew nuts are conveyed in bracket conveyors from the bottom discharge openings in the silos and discharged into a closed steel tank containing cashew oil placed over a furnace to keep the oil hot at about 380 F. The cashew nuts are received inside the tank and moved in hot oil by means of another bucket conveyar operating inside the tank which is roughly of over all dimensions 20' x 5' x 5'. Before reaching the other end, the buckets are lifted above the oil to allow the oil adhering to the sides of the roasted nuts to trickle down through the perforated sides of the buckets. The nuts are discharged into an inclined trough with perforated sheet bottom. As the ~~trough~~ nuts move down the trough the adhering oil is allowed to drain down as much as possible. The nuts are collected and centrifuged in Messrs. Pierce Leslie's Factory to remove all traces of adhering oil. In the Mizar factory there are no centrifugals. The nuts are then broken by women coolies by hand and the kernels dried in a hot air drier. The outer skin or husk is then peeled off by hand and the kernels sorted and graded. They are then kept in a conditioning chamber in Messrs. Pierce Leslie & Co., where I noticed the smell of bleaching powder--it was explained this was to keep off contamination before they are finally packed in drums and sealed heremetically. There is no such conditioning chamber in the Mizar factory, where first carbon dioxide removed and the tins vacum sealed.

6 In the process of roasting in hot oil in the tank the cells inside the cashew shell break up and exude their oil contents to an appreciable extent. There is an overflow pipe through which such excess oil is drawn off and collected. In the roasting tank large quantities of fumes are evolved. These fumes are ~~brightly~~ highly irritating and are said to produce injurious effects on the health of the people inhaling them. Messrs. Pierce Leslie & Co., have successfully dealt with these fumes. They appeared some what touchy and reluctant to divulge any information regarding the technical details of their plant or process. In fact I desired to see the furnace where cashew shells and coffee husk were burnt to heat the air for the hot air driers, Mr. Jackson, apparently unoffensively

asked whether it was for the benefit of the other factory. I replied that he need not show me the furnace if he had the least objection. As far as I could observe, what they have done is to drew off the fumes by means of an exhaust fan and force them into the main furnace where they are apparently burnt off.

7 This is also exactly what they have now done in the Mizar factory. Originally they were allowing the fumes to escape through a rent pipe over the oil tank above the roof level of the factory. The fumes obviously mixed with the atmosphere, condensed and descended down vitiating the surrounding atmosphere. Now they have led the fumes into the furnace itself by means of mild steel sheet piping. They have also an exhaust fan. But this not yet fitted to the circuit. The fumes are burnt in the furnace and escape through the chimney along with the flue gases This arrangement has been quite successful and the Municipal Health Officer who was also present, expressed that the nuisance had been eliminated especially as he found that while in the office room he did not now feel the irritating and purgent odder which used to pervade the entire atmosphere in the area previously. Of course there were some leaks in the cover joints over the tank and the joints of the piping from the tank of the furnace, rendering the atmosphere immediately around the roasting tank foul. This did not however spread beyond this building and could be stopped by renewing the packings and joints. I brought this to the notice of the managing partner who agreed to take immediate steps to stop these leaks.

8 Though the device now seems to be successful, I pointed out to the managing partner the possibility, however remote of the flames shooting back through the pipe and igniting the oil in the tank. He assures that the oil was not combustible on exposure at that temperature and there was no fear of this occurring. I suggest however that this may be referred to some competent authority such as the Indian Institute of Science or the Imperial Council of Industrial and Agricultural research, for investigation if necessary and expert advice. Another possible result was the formation of more vapour as fumes are drawn off and burnt in the Furnace and the consequent loss in the recovery of cashew oil. By the introduction of a suitable non-return valve and regulating the draw off of the fumes to just the extent necessary to keep the fumes under control in the tank, the above possible troubles might be obviated. Technical advice may however be obtained first by referring the above points for investigation to some competent scientific authority.

9 The Managing partner told me that he is arranging for the installation of the necessary centrifugals to draw off the oil from the roasted cashew nuts and pending installation of these he had decided to use fire wood only as fuel. To facilitate early resumption of work and mitigate the hardship caused to nearly 2000 heads of labour thrown out of employment, he wanted me to certify as to the effectiveness of the method adopted for treating the cashew oil fumes. In view of the urgency I issued a certificate that during the trial with the new device whereby the cashew oil fumes from the oil tank were led into the furnace, no irritating smell was felt in the surrounding area caused by the gases coming out of the chimney.

10 In regard to cleanliness, lighting and ventilation referred to in the report of the Assistant Director of Public Health at Cuddapah 20 and 21, I found there is considerable scope for improvement and that the factory is not kept as neat and clean as that of Messrs. Pierce Lelie & Co., Ltd., and have expressed this opinion in person to the Managing partner of the Mizar factory.

CTG-9/7.

P.W. Dept.

~~Sanctd.~~ The rspl sul-
~~[illegible]~~
through the D.P.H. & C.L.
may be awaited.

28.7.45.

28.7.45

SECRETARY TO GOVERNMENT
27 JUL 1945
No 2
PUBLIC WORKS DEPARTMENT

Yours

Letter No.B.L.O.[illegible]70-[illegible]-41-10 from the Inspector of Public Nuisance, [illegible], and his [illegible] dated [illegible] only. Also our letter Ref. B-4-6647/Est Compl. dt 25.7.1945 from the Collector of South Kanara, to the the Secretary to Govt., P.W.D., Copy forwarded.

2. From the records of the Municipal Health Officer and the Industrial Engineer and the Deputy Superintendent of Police as quoted by the Collector in his letter No.B.L.2-1-0667-46 dated 26-7-46 it is clear that all the conditions imposed in G.O.No.1[illegible]-P.W. dated 18-2-46 have not been carried out by the owners of Messrs. Mizar Krishna Kamath Pai & Co.

3. I am however doing one of my subordinates to visit the place and report if any inspection of the conditions imposed may be made in view of the improvements being carried out.

- - - -

Copy of Inspection notes of the Assistant Director of Public Health, Vital Statistics, Madras.

- -

I inspected the Cashewnut Factory of Mizar Krishna Kamath & Pai, Mangalore, with the Municipal Commissioner between 10 A.M. and 11 A.M. on the [illegible] 1946.

2. The factory had been closed from 2nd June last by an Injunction order of the Sub-Divisional Magistrate, Mangalore, under Section [illegible] of the Criminal Procedure Code under the orders of the District Magistrate. The District Magistrate has reported this to the Director of Public Health in letter B.L.[illegible]-46 dt. 15th July 1946.

3. Special permission was therefore obtained from the Sub Divisional Magistrate for working the factory for my inspection to-day.

4. At the time of my inspection, two roasting drums were in operation while [illegible] other bodies in the shelling department. The cooling and peeling sections were not working since the factory started working only to-day. The roasting drums were not ready for the latter operations. The cooling towers for the two drums were changed and water were regularly fed to the roasting drums. The owner claimed that the factory was working ~~for~~ to its full capacity and [illegible] was not much of smoke or pungent fumes, either near the drums or in other parts of the factory premises. There was however a [illegible] of odour in the roasting shed, due to escape of gases from the [illegible] of the drum in the shed. The load of the chimney, this may be got further produced by widening the load below the chimney and lowering it by 3 or 4 feet and by working the exhaust fan attached to the pipes provided for leading the irritating fumes from the roasting drums to the chimney. The Commissioner mentioned that there was [illegible] considerable reduction in smoke and oil fumes. Mr. Subbaraya Aiyar has been relieved on 31st July 1946, he was not with us for the inspection; but he informed me later that I would find the smoke very much less if I came on a day to inspect the factory in company with the Director of Industries [illegible] having made the observations mentioned in para 7 of the letter of the Director of Industries, No.2710-A.48, dated 6th July 1946.

Fan Room.- At first the room was full of smoke and after some time, I asked the proprietor to use a smoke stick to see whether the smoke and fumes are possibly increasing. I found that even then there was not much smoke or irritation from fumes. It is not possible for me to say whether the improvement has been due entirely to the provision of the arrangements for burning the oil fumes from the roasting drums or to any other ~~[illegible]~~ to the slow working of the plant also. Anyhow, it is clear that is my mind, if one is very large extent by the improvements to the chimney, [illegible] and [illegible] into operation, I am sure that there will [illegible] nuisance caused by fumes and smoke.

I [illegible] that the factory may be allowed to ~~[illegible]~~ work and the working [illegible]. If it is found that the nuisance increases again [illegible] may be [illegible] on the possibility [illegible] every day.

6. Sanitary Facilities. The owners have cemented the floor of some portions of the sanitary facilities and is getting the remaining portions [illegible] the number of women, [illegible]

36 sq. feet space for each worker in the Shelling Department, as against 20 sq. feet previously allowed (and approved by the Chief Inspector of Factories).

6. Drying Section. Since the factory has not been working, the floor was dry. All the four chimneys of this section have been raised by 8 feet each.

7. Tinning and Packing Sections. Since the packing and tinning section were not used for sometime, there is no debris here. There is also no smell from the treatement of plates with alum as no work is conducted. Though the fire place is not hooded as suggested, the owner has made certain improvements to the chimney and claims that there will be complete elimination of nuisance. This is to be watched in actual operation. He has to use wood as fuel for this fire place also. The Municipal Health Officer may suggest further improvements, if found necessary

8. Water supply.- There is at present a good supply of water in the well in the factory premises and there are a number of covered pots with taps for the use of the labourers

9. Tiffin-room:- A new room has been provided for the use of the workmen. This is properly floored and adequately ventilated.

10. Latrines. - There are two sets of latrines, of 12 seats each for the use of labourers. They are of the dry hand removal type. A scavenger is employed and the latrines were found clean. It is desirable to replace these by flush-out latrines.

11. Improvements already carried out.-

(1) The Oil fumes from the roasting tank are led to the furnace and burnt out. Suction fans have been installed.
(2) The chimneys in the roasting section have been raised by 18 feet.
(3) The number of workers in the shelling section has been reduced so as to give an area of 36 sq. feet for each worker. The flooring of this section is cemented.
(4) The chimneys of the drying and peeling sections have been raised by 8 feet.

12. Improvements agreed to by the owner to be carried out, in six months.
(1) Installation of exhaust fans at a height of 8 to 10 feet.
(a) Five in the northern wall of the peeling section;
(b) Six in the northern wall of Shelling section.
(c) Four in the southern wall of Shelling section.

13. Conclusion.
G.O.M.S.No.1022 P.H. dated 19th June 1945 seems to have been misinterpreted by the Commissioner. He was asked to prosecute the owner until the processes causing the nuisance are stopped. He has prosecuted him for having run the factory previously without licence, even though he had stopped from 2nd June 1945 under the orders of the Sub Divisional Magistrate. The owner is facing two prosecutions even after closing down from 2nd June 1945 unto date.

The Commissioner is also under the impression that the Government Order insists on the owner carrying out all the recommendations made by the Assistant Director of Public Health including those for which he recommended three to six months time, before grant of licence. This does not seem to be in order as they should be given adequate time as advised by the Assistant Director of Public Health. This may be clarified by a reference to Government, if necessary.

In the report of Dr.Thirumalish, the addition of a crushing machine to remove the oil in the shells before use as fuel was advised as item 8. The factory owner expressed his difficulties in getting a machine of this type for some time and requested permission to run the factory on wood fuel till such time. This may be allowed as the nuisance was due to the inevitable oil fumes generated by the shells

P.W. Dept

Under H.P.N. may be requested to put up the original or a copy of Eg. G. No. 1622, P.H., dated 19-6-45 (referred to at A on p. 77 c.f.) and a copy of the P.H.'s reference No. 1870-Hy-45-18 dated 10-8-45 (not ~~[illegible]~~ receiving in this dept.)

Ps. 29.8.45. 29.8.45

30/8/45

E&MH

5867/8

E&MH

P.W. 2-6-6337-A/45-6
30-8-45.

The Municipal Commr. has been directed not to issue a licence for the factory until all the defects pointed out by Dr. Shrimali in his inspection notes of 28-5-45 have been rectified. The connected file will be sent to PWD separately.

7.9.45

Under

PWD

H.U.O. No. 30040(A) H/45-7
P.H. dated 7.9.45.

P.W. Dept

May kindly put the file referred to above in 'circulation'

P.S. AR
9.9.45

UNDER SECRETARY TO GOVERNMENT
8 SEP 1945
PUBLIC WORKS DEPARTMENT

52

Copy of G.O. No.1622, Public Health, dated the 19th June, 1945.

Sub: Licence - Mangalore Municipality - Cashewnut factory of Messrs. Mizar Krishna Annappa Pai Co., Nuisance caused by the working of - Inaction on the part of the Commissioner and Health Officer - Orders issued.

Ref: From Messrs. Chudappa, Sequeira, Badruddin of Boloor, Mangalore, telegrams dated 7-4-45 and petition dated 30-4-45.

From Mr. C.L. Lobo, Vice Chairman, Municipal Council, Mangalore, letter dated 28th May, 1945.

From the Director of Public Health, No.R.18870-Hyg-45-5, dated the 1st June, 1945.

From the Commissioner, Mangalore Municipality, Mangalore, No.C4.9478/44 dated the 22nd June, 1945.

ORDER:

The correspondence read above and especially the inspection notes of th Assistant Director of Public Health sent with the Director's letter read above, show that the cashewnut factor of Mizar Krishna Annappa Pai & Co., in R.S. Nos. 72 & 73 of Boloor village, Mangalore Municipality, has been working from April, 1944 without a licence under section 249 of the Madras District Municipalities Act, that the processes carried on in the factory are a source of considerable nuisance to the residents of the locality, and that t conditions in which the factory is being run constitute a danger to the heal of the factory workers and of the residents of the locality. In spite of th Public agitation against the facotry and the Municipal Council's resolution on the subject, the Government find that the Municipal Commissioner and the Municipal Health Officer took no action whtever to stop the nuisance caused by the factory. Effective steps should now be taken to put an end to the offensive operations carried on in the factory inquestion.

The Commissioner, Mangalore Municipality, is therefore directed to take immediate steps to prosecute the ownersof the factory under section 313 and schedule VII read with section 249 of the Madras District Municipalities Act 1920, and to continue the prosecutions, until the processes in the factory which cause nuisance are entirely stopped.

A copy of the inspection report of the Assistant Director of Public Health is forwardedto the Commissioner. A licence should be issued to the

owners of the factory only when all the defects pointed out by the Assistant Director of Public Health in his report havebeen rectified in the manner stated by him.

2. The Inspector of Municipal Council and Local Boards / Director of Public Health is requested to obtain the explanations / explanation of the Commissioners concerned / Municipal Health Officer explanations to Government with the Inspectors / Director's remarks.

3. The Government notethat there has been delay also in the office of the Director of Public Health as regards this matter.

4. The petitioners are referred to the Commissioner, Mangalore Municipality, for orders on their petition.

(By Order of His Excellency-the-Governor)

C.O. COOREY,
Deputy Secretary to Government.

To
the Commissioner, Mangalore Municipality, through the C.M.C. (with a copy of the A.D.P.H.'s report)
the Inspector of Ml.Cls. & L. Boards.(with a copy of the A.D.P.H.'s report)
the Local Administration Department.
Messrs. Chudappa, Sequeira and Badruddin, Boloor village, Mangalore (para 4 only)
Mr. C.L. Lobo, Vice President, Municipal Council, Mangalore (para 4

COPY OF LETTER FROM THE DIRECTOR OF PUBLIC HEALTH, MADRAS, TO THE SECRETARY TO THE GOVERNMENT OF MADRAS, EDUCATION AND PUBLIC HEALTH DEPARTMENT, MADRAS, R. NO.18870-Hyg.45-18, DATED 10TH AUGUST, 1945.

Sub: Licence - Mangalore M.T. - Mizar Krishna Annappa Pai Co.
Ref: My letter R. No.18870-Hyg.45-17, dated 31st July, 1945.

In continuation of my letter quoted above, I am forwarding herewith a copy of the Inspection Notes of the Assistant Director of Public Health, Vital Statistics, Madras, and recommend that necessary instructions may be issued to the Commissioner. I however consider that the water-supply requires permanent improvement by the provision of an overhead tank, pump and taps for the workers and ensuring adequate supplies being available during the dry weather period.

Copy to the Secretary to the Government of Madras, Public Works Department, Madras, in continuation of my letter R.No.18870-Hyg.45-16 dated 31st July, 1945, THROUGH THE COMMISSIONER OF LABOUR, MADRAS.

Inspection Notes of the Assistant Director of Public Health, Vital Statistics, Madras.

I inspected the Cashewnut Factory of Mizar Krishna Annappa Pai, Mangalore, with the Municipal Commissioner between 10 A.M. and 12 Noon on the 4th August, 1945.

2. The factory had been closed from 2nd June, 1945 by an Injunction Order of the Sub-Divisional Magistrate, Mangalore, under Section 133 of the Criminal Procedure Code under the orders of the District Magistrate. The District Magistrate had reported this to the Director of Public Health in his letter R.4-4438-45, dated 11th May, 1945.

3. Special permission was therefore obtained from the Sub-Divisional Magistrate for working the factory for my inspection to-day.

4. At the time of my inspection, two roasting tanks were in operation with about 250 women coolies in the shelling department. The roasting and peeling sections were not working since the factory started working only to-day, and roasted nuts were not ready in the factory for shelling. The feeding towers for the two tanks were charged and nuts were regularly fed to the roasting tanks. The owner claimed that the factory was working to its full capacity and yet there was not much of smoke or pungent fumes, either near the tanks or in other parts of the factory premises. There was however a certain amount of odour in the roasting shed, due to escape of gases from the crevices of the tank and from below the hood of the chimney. This may be got further reduce by widening the hood below the chimney and lowering it by 3 or 4 feet and by working the exhaust fans attached to the pipies provided for leading the irritating fumes from the roasting pans to the furnace. The Commissioner admitted that there has now been a considerable reduction in smoke and oil fumes. As Dr. Subbarayan Baliga has been relieved on 31st July, 1945, he was not with me at the inspection; but he informed me later when I met him that he found the fumes and smoke very much less than before when he inspected the factory in company with the Director of Industries and admitted having made the observation referred to in para 7 of the letter of the Director of Industries, No.4796-A.45, dated 6th July, 1945.

Fuel used. At first firewood was used as fuel and after sometime, I asked the Proprietor to use cashewnut shells to see whether the smoke and fumes appreciably increased. I found that even then there was not much smell or irritation from fumes. It is not possible for me to say whether the improvement has been due entirely to the provision of the arrangements for burning the oil fumes from the roasting tanks or to any extent to the slow working of the plant also. Anyhow, if the shell fuel is replaced entirely or to a very large extent by wood fuel, the improvements to the chimney carried out, and the exhaust fans already installed brought into operation, I am sure that there will be very little nuisance caused by fumes and smoke.

I think therefore that the factory may now be allowed to work and its working watched. If it is found that the nuisance increases again to any appreciable extent, restrictions may be enforced on the quantity of nuts that should be roasted every day.

5. Shelling Section: The owner has cemented the floor of some portions of the shelling section and is getting the remaining portions also cemented. He has also reduced the number of workmen, setting apart 36 sq. feet space for each worker in the shelling department, as against 20 sq. feet previously allowed (and approved by the Chief Inspector of Factories.)

6. Drying Section: Since the factory has not been working, the floor was dry. All the four chimneys of this section have been raised by 8 feet each

7. Tinning and Packing Sections: Since the packing and tinning sections were not used for sometime, there is no debris here. There is also no smell from the treatment of plates with alum as no work is conducted. Though the fire place is not hooded as suggested, the owner has made certain improvements to the chimney and claims that there will be complete elimination of nuisance. This is to be watched in actual operation. He has to use wood as fuel for this fire place also. The

Municipal Health Officer may suggest further improvements, if found necess

8. Water-supply: There is at present a good supply of water in the well in the factory premises and there are a number of covered pots with taps for the use of the labourers.

9. Tiffin room: A new room has been provided for the use of the workmen. This is properly floored and adequately ventilated.

10. Latrines. There are two sets of latrines, of 12 seats each for the use of labourers. They are of the dry hand removal type. A scavenger is employed and the latrines were found clean. It is desirable to replace these by flush-out latrines.

11- Improvements already carried out: (1) The oil fumes from the roasting tank are led to the furnace and burnt out. Suction fans have been installed.

(2) The chimneys in the roasting section have been raised by 16 feet.
(3) The number of workers in the shelling section has been reduced so as to give an area of 36 sq. feet for each worker. The flooring of this section is cemented.
(4) The chimneys of the drying and peeling sections have been raised by 8 feet.

12. Improvements agreed to by the owner to be carried out in six months.
(1) Installation of exhaust fans at a aheight of 8 to 10 feet.
(a) Five in the northern wall of the peeling sections;
(b) Six in the northern wall of Shelling Section.
(c) Four in the southern wall of shelling sections.

13. Conclusion: G.O.M.S. No.1632, P.H., dated 19th June, 1945 seems to have been misinterpreted by the commissioner. He was asked to prosecute the owner until the processes causing the nuisance are stopped. He has prosecuted him for having run the factory previously without licences, even though he had stopped from 2nd June, 1945 under the orders of the Sub-Divisional Magistrate, The owner is facing two prosecutions even after closing down from 2nd June, 1945, upto date.

The Commissioner is also under the impression that the Government Order insists on the owner carrying out all the recommendations made by the Assistant Director of Public Health including those for which he recommended three to six months time, before grant of licence. This does not seem to be in order as they should be given adequate time as advised by the Assistant Director of Public Health. This may be clarified by a reference to Government, if necessary.

In the report of Dr. Thirumaliah, the addition of a centrifugal machine to remove the oil in the shells before use as fuel was advised as item 2. The factory owner expressed his difficulties in getting a machine of this type for sometime and requested permission to run the factory on wood fuel till such time. This may be allowed as the objection was due to the irritating oil fumesgenerated by the shells when used as fuel.

I am of opinion that licence may now be granted to the factory to work and six months' time allowed for installing the exhaust fans.

COPY. GOVERNMENT OF MADRAS. E. & P.H.

MEMORANDUM NO.30040(A)H/45-5, P.H., dated 3-9-45.

Sub: Licence - Mangalore Municipality - Cashewnut factory belonging to Mizar Krishna Annappa Pai & Co.

READ; G.O. No.1622, P.H., dated 19-6-45.
From the D.P.H. No.18870-Hyg.45-18, dated 10-8-45.

The Government cannot accept the recommendation contained in the Director's letter read above and the Assistant Director's inspection notes enclosed to it that the Commissioner may be instructed to grant a licence for the cashewnut factory belonging to Mizar Krishna Annappa Pai & Co and that time may be allowed to the company for effecting improvements.

The Municipal Commissioner is requested to see that the licence ~~xx~~ for the cashewnut factory is not issued until all the defects are rectified in the manner suggested by Dr. Rao Bahadur A. Thirumaliah, A.D.P.H. in the inspection notes dtated the 28th May, 1945, communicated with G.O. No.1622, P.H., dated 19-6-45.

.....

To
the Director of Public Health.
the Municipal Commissioner, Mangalore, through chairman.
the Collector and
the District Magistrate, South Canara.

GOVERNMENT OF MADRAS.

P.W.D. 41

COPY OF MEMORANDUM NO.30040(A)-H/456, P.H., dated 3-9-45.

Nuisance - Mangalore - Cashewnut factory - prosecution under Section 133, Criminal Procedure Code.

With reference to the petition read above a copy of which is stated to have been sent to him, the District Magistrate is informed that, since the factory referred to is not working and since the orders issued by the Government in the matter will ensure that it will not commence working until all the necessary improvements are effected to minimise the nuisance caused by the factory, there will be no need to continue the proceedings instituted under Sec.133 of the Criminal Procedure Code.

The District Magistrate is requested to state whether he agrees with this view and whether he has any objection to these proceedings being dropped. If he sees no objection to this course, he may take immediate steps to do so, and report the matter to Government.

C.O. COOREY,
Deputy Secretary to Government.

To the District Magistrate, South Canara.

92

EDUCATION AND PUBLIC HEALTH DEPARTMENT.

COPY OF MEMORANDUM NO.30040(A)-H/45-9, P.H., dated 27-9-45.

Licence - Mangalore Municipality - Cashewnut Factory - Krishna Annappa Pai Co., - Prosecution for running without licence.

The Municipal Commissioner is informed that the prosecutions launched against the proprietors of the Cashewnut factory of Mizar Krishna Annappa Pai & Co., at Mangalore for having run the factory without a licence should be withdrawn.

To
the Municipal Commissioner, Mangalore, thro' Chairman.
the District Magistrate, South Canara.
Copy to the Director of Public Health.
" " the Inspector of Municipal Councils and Local Boards.

17/16x

P.W. Dept.

C.M. No. 6347-A/45-7 dated 13.10.45

Sub.:- Factories - Cashewnut factory of Mizar Krishna Annappa Pai & Co., Mangalore - Closure due to smoke nuisance.

Ref.:- Endt. from the C.L. No. C.4. 2563/45, dated 2[illegible]-8-45.

It ~~has been observed~~ would appear that the cashewnut factory of Mizar Krishnappa Pai & Co., Mangalore, had been working in contravention of the provisions of the Factories Act also. The ~~C.L.~~ C.I.F. is requested to enquire specifically into the matter and report why the factory was allowed to work in contravention of the provisions of the Factories Act, ~~by the Inspector of Factories.~~

p 75c-f

To the C.I.F.

P.S. 12-10-45. It is presumed that the CIF has satisfied himself that no disciplinary action is required, if it has not already been taken against the Inspector of Factories concerned

[illegible]

Subject:- Factories - Mizar Krishna Annappa Pai and Co., Cashewnut factory, Mangalore - closure.

Reference:- (1) Telegrams from the partners of the factory, exporters of its products, the Kanara Chamber of Commerce etc. at pp.1-2 c.f.

(2) Letter from the Kanara Chamber of Commerce dated 2-6-45.

(3) From the Collector of S.Kanara No.6647-45-B dated 8-6-45.

The file relates to the closure of the above factory situated in a thickly populated portion of the Mangalore Municipal limits. Cashew nuts are roasted in the factory on a large scale and their shells are used as fuel to roast the nuts. There have been several complaints from the residents of the locality about the nuisance due to the injurious smoke from the factory. The health of the workers in the factory has also been affected very much. The unsatisfactory working of the factory and the injurious effects on the residents of the locality etc. are all described in the reports of -

(1) The Labour conciliation officer, Calicut, at pp.37-39 c.f. &

(2) A.D.P.H. (Vital Statistics) at pp.45-47 c.f. The seriousness of the situation made the Labour conciliation officer and the Commissioner of Labour approach the Collector for intereference in the matter - vide p.41 c.f. As a result the Collector instructed the D.S.P. to move the Sub-Divisional Officer, Mangalore, to pass an order under section 133 of the Criminal Procedure Code, so that the factory management may show why they should not be directed to close down the factory in view of the public nuisance - p.50 c.f. The Police therefore moved the S.D.O. for necessary action - pp.43-44 c.f. In view of the prompt and firm action that was considered necessary, the S.D.O. passed on 28-5-45 a combined order under Sections 133(1) and 142(1) of the Criminal Procedure Code, directing the Proprietors to desist from carrying on the burning operations in the factory or to regulate it in such manner as might be directed by the court. The latest date for filing objections in the matter was fixed as 1-6-45. After hearing the objections the S.D.O. passed an order permitting the proprietors to work the factory subject to the following

conditions:-

(1) that they should use only firewood as fuel;

(2) that under no circumstances should Cashew shells be used for burning;and

(3) that the height of all Chimneys should be at least 25 fee above the top of the roof of the factory building.

He has given them time till 10-6-45 to carry out the above conditions. The case stands posted for further enquiry on 12-6-45.

2. The Collector reports that it is not a case in which the owners of the factory were unaware of the grave nuisance and danger to public health, but that it is a case of wanton flouting of public complaints and disregard of the orders of the Municipal Council. The conditions now given by the S.D.O. were fixed by the Municipal Council even in 1943. No formal license has also been obtained, after complying with the conditions, for the years 1944-45 and 1945-46. The Collector also points out that the proprietors have failed to fulfill all the three * important conditions designed to save the public from the nuisance of the smoke of Cashewnut factories - A on p.49 c.f. and A on p.36 c.f. The Collector adds that it is open to the proprietors, who are rich, to work the factory after fulfilling the conditions stipulated by the S.D.O. They are not considered very costly or difficult to fulfill.

A on 43!

* given in 40 749 E" H 24.2.

3. In the circumstances the Collector thinks that it would not be desirable to interfere, unless the factory is engaged in any essential war contract of which he is not aware. Even so, he thinks that it may not be fair to the public and to the workers to make them suffer under such a nuisance and danger to health, while the defects could be easily remedied - B on p.36 c.f.

4. Portion X above: The petitioners do not claim to be war contractors, but say that the oil produced is essential war meterial - M on p.3 c.f. and p.33 c.f. The purchasers of the products of the factory say that heavy American Contracts are pending fulfillment - p.13 c.f. ~~It is not sure that the contract are of a war nature. Public (war) may be requested to advise.~~

5. Labour unemployment due to the present closure of the factory. In the factory itself there is reported to be 1300

labourers - para 3 on p.33 c.f. The exporters, Hindustan Commodity corporation Ltd., state that 250 of their workmen are also affected by the order of the S.D.O. - p.24 c.f. The Kasturi Sarvottampai Co., represent that their factory, employing 300 workmen, depends entirely on the factory, to which the S.D.O.'s orders apply. The total number of labourers suddenly unemployed, as result of the S.D.O.'s orders is about 1,850. The Kanara Chamber of Commerce says that there are hardly any alternative avenues of employment which can be immediately offered to these labourers. The remarks of the Commissioner of Labour have not been received in the matter. His remarks may perhaps be awaited.

6. The Kanara Chamber of Commerce states that the factory work was going on for the last 15 years and hints that the sudden and precipitate action now taken up by the authorities is due to the move of interested parties - N on p.33 c.f. This insinuation need not perhaps be taken seriously.

~~The file may now be sent to Public (War) with~~ reference ~~to para 4 on p.2 ante.~~ E. & P.H. may also see.

12.6.45

There is hardly any case in interference. The prohibitory order was passed in the interests of the workers of the factory & of the residents of the locality.

No,

K

I agree that there is no cause for any interference. The Comr. of Lab to whom I spoke said that this was a great nuisance. His report may be awaited. Meantime A3 may see.

Cir 14.6.45
R. 18.6.45

A3

15/6/45

15/6/45

Public (General) Department

C No: 43/45

Sub:- LABOUR - South Kanara District - Cashewnut factory - Closure - Report.

Ref:- Telegrams dated 2nd & 4th June 1945 from the Kanara Chamber of Commerce.

From the Hony. Secretary, the Kanara Chamber of Commerce, dated 2nd June 1945.

Please see the ~~[illegible]~~ reference from the Honorary Secretary, the Kanara Chamber of Commerce, Bunder, Mangalore, at p 33 c.f. The two telegraphic complaints received from the Kanara Chamber of Commerce regarding the closure of their factory at Mangalore have already been referred to the District Magistrate of South Kanara for urgent remarks. His reply may be awaited.

R.D. 15-6-1945.

8A 7.6.45 / 7/6/45

Perhaps P.W.D. or Dev. may have some information on this.

8/6/45

P.W.D. / Dev.

P.W.D.

A reply on the subject was issued from this deptt also to the Collr of S. Kanara. A copy of the reply to the Endt on p 5 C.F. has therefore been sent by the Collr to this deptt also. The Collector's report is dealt with in this ~~top~~ file. This file may be returned to Public.

12.6.45

This deptt's file is being circulated to A-3

13/6/45

Public (Genl) Dept.

P.W.D. 6530-A/45-1 / 13-6-45

235 / 14.6.45

The Collector's reply referred to in the P.W. deptt's note above has been added to the file - pp 35-60 C.F. The telegram at pp 55-57 C.F. may also be perused.

It is presumed that P.W.D will ~~[illegible]~~ let this department see their file in due course. P.W.D. may perhaps see.

8A 14/6/45. / 14/6/45

This does not seem to be a matter for public and as P.W.D. are already

ASSISTANT SECRETARY TO GOVT.
14 JUN 1945

Genl. (Genl) No. 43/45-3 / 9-6-45

A. 1945 6530

dealing with this, they may perhaps take this

15/6/45

P.W.D.

Pet (Gen)

No. 43/45-4
15-6-45

P.W. Dept.

The papers may be added to this dept. file when it returns from circulation.

P.S.
16-6-45

16.6.45

Extracts of notes from the Edn. & P.H. file relating to the issue of license to chshewnut factories at Mangalore.

LT. No. 27176 (A)-H/45-1

A

There seems to be contravention of the provisions of the Factories Act too and I wonder what the local Factory Inspector was doing about this. This is a matter for the P.W.D.

C.O.C./8-6-45.

Letter from the Director of Industries and Commerce No. 4796-A1/45, dated 15-6-45.

pp. 59-60 c.f.

To U.S.

A above.

The report of the C

case.

and it may throw more light on the/~~MXXXXX~~. Further action may be taken on receipt of his report. C.L.'s report may be awaited till 1-7-45

pp. 3 above

B

2. Letter at pp. 59-60 c.f.

The D. of I. & C. suggests that the the Collector may be instructed to have the orders of the Sub-Divisional Magistrate withdrawn; but the Govt. have decided that there is no case for any intereference.

No action is necessary on the letter from the D. I. & C.

~~No action is necessary on the letter.~~

pp. 60 c.f.

B

pp. 3 above

22.6.45

22.6.45

UNDER SECRETARY
26 JUN 1945
DEVELOPMENT DEPARTMENT

384-57

25/6/45

P.W.D. 6337-A/45
25.6.45

To W.S. Please see notes on pp 1-3 above, and on p 6 above. No remarks seem called for in this Dept. Perhaps P.W.D. may consider the desirability of sending a reply to the D.I.&C. in the manner H.S.G.-6 of on this file K on p 34

The file may be returned to P.W.D.

Ce 27.6.45 / 27.6.45

P.W.D. 28.6.45

Dy no. 28439 D 45-1

28.6.45

P.W. Dept.

To W.

Development note above. For orders what a reply to the Director of Industries and Commerce, as suggested, may be sent on receipt of the report promised by the C.L. as it may further clarify the matter.

P.S. 28.6.45. Wait C.L. for his report

Yes

Draft submitted

P.S. 30.6.45. Yes

SECRETARIAT GOVERNMENT A 28 JUN 7448 PUBLIC WORKS DEPARTMENT

p 61 To the Commissioner of Labour O.M. no. 6337A/45-3 2/2.7.45

p 63 From No. C.42563/45 2/7.7.45

p 65 From the Director of Industries & Commerce No. 4796-A1.45 2/6.7.45

Please see the orders on p 3 ante. The C.L. in his report on p 63 C.F. agrees with the Collr of S. Kanara that the factory should be allowed to resume work only if the conditions imposed by the S.D.M. are fulfilled.

2 The Dr of Industries & Commce forwards with his letter on p 65 C.F. a copy of report by the Industrial Engr, Madras, who was specially deputed to ~~learn~~ inspect the factory, and recommends the issue of a licence to the Company. The petition received by the Dr of Industries & Commce in this connection is at pp 67-68 C.F. The further remarks of the D.M., D.P.H. & the C.L. ~~on~~ with particular refce. to the report of the Industrial Engr seem necessary

especially in view of Para 2 on p 69 C.F.
A draft Endt. is enclosed.
19.7.45

19 7 45

ssued as O.M. No. 6337-A/45-4, dated 19-7-45. p. 71 c.f.
ndt. from the C.L. No. C.4. 2563/45, dated 22-8-45. p. 75 c.f.

The file relates to the prosecution launched against the Messrs. Mizar Krishnappa Annappa Pai Co., Mangalore, for running a cashewnut factory without a license at Mangalore. Other extracts from the E.T.P.H. file on the subject have been added at pp 83-92 C.F. The processes carried on in the factory were a source of considerable nuisance to the residents of the locality and the conditions in which the factory was run constituted a danger to the health of the factory workers and of the residents of the locality. p. 83 c.f. In G.O. No. 1622, P.H., dated 19-6-45 the Govt. ordered that a license should be issued to the owners of the factory only when all the defects pointed by the Assistant Director of Public Health were rectified. p. 83 c.f. In August 1945 the D.P.H. recommended that a license may be issued for working the factory subject to carrying out certain defects within a period of six months. pp. 85 88 c.f. This recommendation has not been accepted by the Govt. and the Commissioner of the Municipality has again been ordered not to issue a license until all the defects are remedied. p. 89 c.f. The prosecution launched against the owners of the factory has also been withdrawn. pp. 91-22 c.f.

2. A and B on page 6 above. The C.L. has not sent any report but has simply forwarded the letters of the D.P.H. p. 75 c.f. No action however seems to be necessary now. The papers may be recorded in a G.O.

Abstract

Factories - Cashewnut factory of Mizar Krishna Annappa Pai & Co, Mangalore closure due to smoke nuisance - Prosecution

10-10-45

A on p 6 The point was that the C.L. had enquiries into the matters of the Insp. of Factories, Jany. the C of L may now be asked to do so
11.10.45